

Docket No.: PF-0572 USN

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, Washington, D.C. 20231 on February 10, 2003.

By:

Printed: Cathleen M. Rocco**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of: Tang et al.

Title: HUMAN CELL SIGNALING PROTEINS (CSIG)

Serial No.: 09/763,335

Filing Date: February 14, 2001

Examiner: To Be Assigned

Group Art Unit To Be Assigned

BOX PCT

Attn: James Thomson, PCT Legal Office
Washington, D.C. 20231

PETITION TO WITHDRAW IMPROPER HOLDING OF ABANDONMENT

Sir:

Applicants are in receipt of the Notice of Abandonment contained in the Decision on Petition dated December 13, 2002, in the above-identified patent application. The decision granted Applicants' Petition with respect to the name change of the inventor, but the Notice of Abandonment states that no response was received regarding the Notification of Defective Response (Form PCT/DO/EO/916) dated April 8, 2002.

This abandonment reflects a United States Patent and Trademark Office (USPTO) or United States Postal Service (USPS) error because a complete response to the Notification of Defective Response was in fact mailed to the USPTO on May 8, 2002. Enclosed are a courtesy copy of all papers filed on that date, including a copy of the Transmittal Fee sheet from our chronological files with an executed Certificate of Mailing signed by Emma Durrell, who was at that time employed by the Applicants as a Senior Patent Specialist, as well as the executed transmittal signature page. Also enclosed is a copy of the return postcard as mailed; it is noted that the original postcard was never received back from the USPTO, which may indicate that the entire mailing was lost by the USPS.

Enclosures include copies of:

1. Return Receipt Postcard;
2. Transmittal Fee Sheet (2 pg., in duplicate);
3. Response to Notification of Defective Response and Amendment Directing Entry into the Specification (2 pp., in duplicate);
4. Substitute Submission Under 37 CFR 1.821-1.825 Seq. Listing (1 pg.);
5. Copy of Notification of Defective Response (2 pp.);
6. Copy of Docketing Sheet printed on May 10, 2002 (2 pp.); and
7. Copy of response filed 10/11/01.

Applicants respectfully request that the holding of abandonment be withdrawn by the USPTO since Applicants submit herewith evidence meeting the criteria of 37 C.F.R. § 1.8(a)(1) that the necessary papers were in fact timely filed.

Applicants believe no fee is due with this paper. If the USPTO determines that a different fee is due, please charge any necessary fee or credit any overpayment to Deposit Account No. **09-0108**.

Respectfully submitted,

INCYTE GENOMICS, INC.

Date: February 10, 2003

Bernie D. Greene Reg. 46,740 for
Diana Hamlet-Cox
Reg. No. 33,302
Direct Dial Telephone: (650) 845-4639

3160 Porter Drive
Palo Alto, California 94304
Phone: (650) 855-0555
Fax: (650) 845-4166



09 DEC 2002

UNITED STATES PATENT AND TRADEMARK OFFICE

LHC/IT

#8

COMMISSIONER FOR PATENTS
UNITED STATES PATENT AND TRADEMARK OFFICE
WASHINGTON, D.C. 20231
www.uspto.govInstant Communication, 09/13/02, Inc.
Patent Department
Received

DEC 13 2002

Diana Hamlet-Cox
INCYTE GENOMICS
3160 Porter Drive
Palo Alto, CA 94304In re Application of
TANG *et al*
U.S. Application No.: 09/763,335
PCT No.: PCT/US99/19072
Int. Filing Date: 19 August 1999
Priority Date: 21 August 1998
Attorney Docket No.: PF-0572 USN
For: HUMAN CELL SIGNALING PROTEINS
(CSIG)DECISION ON
PETITION UNDER
37 CFR 1.182

Due Date: 2.9.2003

This decision is in response to applicants' "Communication" filed via facsimile on 11 November 2002 and declaration submitted 15 October 2001.

BACKGROUND

On 11 April 2001, the United States Designated/Elected Office (DO/EO/US) mailed a Notification of Missing Requirements under 35 U.S.C. 371 (Form PCT/DO/EO/905) indicating that an oath or declaration in compliance with 37 CFR 1.497(a) and (b) and a surcharge for providing the declaration late must be furnished. A one-month period of time for response was set with extensions of time available under 37 CFR 1.136(a).

On 15 October 2001, applicants submitted a "Response to Notification of Missing Requirements under 35 U.S.C. § 371" which was accompanied by, *inter alia*, an executed declaration and authorization to charge the surcharge fee of \$130.00 and four-month extension fee of \$1,440.00 to Deposit Account No. 09-0108. However, the third listed joint inventor signed her name as Chandra Arvizu on the declaration while her name was listed as Chandra Patterson on the international publication.

On 08 April 2002, the DO/EO/US mailed a Notification of Defective Response (Form PCT/DO/EO/916) indicating that the current declaration was not in compliance with 37 CFR 1.497(a) and (b) because the third inventor was shown differently on the declaration than on the international application. A one-month time limit was set for response since the time remaining in the Notification of Missing Requirements had expired. No extension of this time limit under 37 CFR 1.136 was allowed.

On 11 November 2002, applicants submitted the instant communication which

was accompanied by, *inter alia*, a signed affidavit by the third listed joint inventor and authorization to charge any required fees to counsel's Deposit Account.

DISCUSSION

Section 605.04(c), *Inventor Changes Name*, of the Manual of Patent Examining Procedures (MPEP) states, in part:

In cases where an inventor's name has been changed after the application has been filed and the inventor desires to change his or her name on the application, he or she must submit a petition under 37 CFR 1.182 . . . The petition must include an appropriate petition fee and an affidavit signed with both names and setting forth the procedure whereby the change of name was effected, or a certified copy of the court order.

In the instant petition, applicants have provided an affidavit signed by the third listed joint inventor recording her prior name and her new name, *i.e.*, Chandra Patterson and Chandra Arvizu. This affidavit was signed on "10-11-02." Applicants also included authorization to charge the \$130.00 petition fee to Deposit Account No. 09-0108. This response meets the requirements of the MPEP to change an inventor's name.

However, this response is untimely.

The time limit to respond to the Notification of Defective Response (Form PCT/DO/EO/916) expired on 08 May 2002. This response was submitted on 11 November 2002.

CONCLUSION

For the reason discussed above, applicants' petition under 37 CFR 1.182 is hereby **GRANTED**.

Accordingly, the declaration submitted on 15 October 2001 listing the inventor's new name complies with 37 CFR 1.497(a) & (b).

However, the above-captioned application is hereby **ABANDONED** for failing to timely respond to the Notification of Defective Response (Form PCT/DO/EO/916) mailed 08 April 2002.

Applicants may wish to consider filing a petition to the Commissioner under 37 CFR 1.137(a) or (b) to revive the above-captioned application.

If reconsideration on the merits of this decision is desired, a proper response must be filed within **TWO (2) MONTHS** from the mail date of this decision. Extensions

of time may be obtained under 37 CFR 1.136(a).

Any further correspondence with respect to this matter should be addressed to the Assistant Commissioner for Patents, Box PCT, Washington, D.C. 20231, with the contents of the letter marked to the attention of the PCT Legal Office.

A handwritten signature in cursive script, appearing to read "James Thomson".

James Thomson
Attorney Advisor
PCT Legal Office

Tel.: (703) 308-6457

Country Application

printed on: Friday, May 10, 2002

Case Number:	PF-0572	Country:	US	SubCase:	1
File Number:	PF-0572 USN	United States of America			
Case Type:	PCT	Application Status:	PENDING		
Application Number:	09/763,335	Filing Date:	14-Feb-2001		
Patent Number:		Issue Date:			
Publication Number:		Publication Date:			
Priority Number:	PF-0572 PCT	Priority Date:	21-Aug-1998		
Tax Schedule:	LE	Expiration Date:	19-Aug-2019		
Art Number:		Mailing Date:	14-Feb-2001		
Examiner:					

Agent: Agent Reference No:

Lead Attorney: DHC Working Attorney: DHC Specialist: MM

Title: HUMAN CELL SIGNALING PROTEINS (CSIG)

Country Application Inventors:

Y. Tom Tang
Neil C. Corley
Chandra Patterson
Karl J. Guegler
Mariah R. Baughn

List Of User Actions

Action(s) Due	Due Date	Action Taken	Has Remark
POST CARD CHECK	14-Apr-2001	Due Date 06-Mar-2001	<input type="checkbox"/>
NOTICE SEQUENCE LIST	11-May-2001	Due Date 11-Oct-2001	<input type="checkbox"/>
ASSIGNMENT	14-May-2001	Due Date 11-Oct-2001	<input checked="" type="checkbox"/>
MISSING REQUIREMENTS	11-Jun-2001	Due Date 11-Oct-2001	<input checked="" type="checkbox"/>
FILG RCPT STATUS CHK	14-Jun-2001	Due Date	<input type="checkbox"/>
MISS REQ. 1ST EXT	11-Jul-2001	Reminder 11-Oct-2001	<input checked="" type="checkbox"/>
MISS REQ. 2ND EXT	11-Aug-2001	Reminder 11-Oct-2001	<input checked="" type="checkbox"/>
MISS REQ. 3RD EXT	11-Sep-2001	Reminder 11-Oct-2001	<input checked="" type="checkbox"/>
MISS REQ. FINAL	11-Oct-2001	Final 11-Oct-2001	<input checked="" type="checkbox"/>
NOTICE SEQUENCE LIST Extension	11-Oct-2001	Due Date 11-Oct-2001	<input type="checkbox"/>
NOTICE SEQUENCE LIST Final	11-Oct-2001	Final 11-Oct-2001	<input type="checkbox"/>
ASSIGNMENT Follow Up Date	11-Apr-2002	Due Date 08-Jan-2002	<input checked="" type="checkbox"/>

Country Application

printed on: Friday, May 10, 2002

US - MISSING RE Follow Up Date	11-Apr-2002	Due Date	<input checked="" type="checkbox"/>
DEFECTIVE RESPONSE	08-May-2002	Due Date	08-May-2002 <input checked="" type="checkbox"/>
PUBLICATION	14-Aug-2002	Due Date	<input type="checkbox"/>
DEFECTIVE RESPONSE FOLLOW U	08-Nov-2002	Due Date	<input checked="" type="checkbox"/>

Related Country Applications:

Case Number	Ctry	Sub Case	Case Type	Application Number	Filing Date	Title
PF-0572PCT	WO		ORD	US99/19072	19-Aug-1999	HUMAN CELL SIGNALING PROTEINS (CSIG)

Remarks:

User ID: JCG

Date Created: 15-Feb-2001

Last Update: 17-Apr-2001

Commissioner for Patents, Box PCT
United States Patent and Trademark Office
Washington, D.C. 20231

Docket No. PF-0572 USN
Mailed: October 11, 2001

Applicants: TANG et al.
Serial No.: 09/763,335
Filing Date: To Be Assigned
Title: HUMAN CELL SINGALING PROTEINS (CSIG)

Enclosed are the following:

1. Return Receipt Postcard;
2. Response to Notification of Missing Requirements Under 35 U.S.C. § 371
(2 pp., in duplicate);
3. Copy of Notification of Missing Requirements Under 35 U.S.C. § 371
(1 pg.);
4. Petition for Extension of Time (1 pg., in duplicate);
5. Executed Declaration and Power of Attorney for United States Patent
Application (8 pp., signed in counter-part);
6. Request to Transfer (1 pg., in duplicate); and
7. Copy of Notification to Comply with Requirements for Patent Applications
Containing Nucleotide Sequence and/or Amino Acid Sequence Disclosures
(1pg.)

DHC/nlg

Commissioner for Patents, Box PCT
United States Patent and Trademark Office
Washington, D.C. 20231

Docket No. PF-0572 USN
Mailed: October 11, 2001

Applicants: TANG et al.
Serial No.: 09/763,335
Filing Date: To Be Assigned
Title: HUMAN CELL SINGALING PROTEINS (CSIG)

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Application (8 pp., signed in counter-part);
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7. Copy of Notification to Comply with Requirements for Patent Applications
Containing Nucleotide Sequence and/or Amino Acid Sequence Disclosures
(1pg.)

DHC/nlg

JC10 Rec'd PCT/PTO 15 OCT 2001

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, Attn: Box PCT, Washington, D.C. 20231 on October 11, 2001

By: Nancy L. Givm

Printed Name: Nancy L. Givm

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Tang et al.

Title: HUMAN CELL SIGNALING PROTEINS (CSIG)

Serial No.: 09/763,335

Filing Date:

To Be Assigned

Examiner: To Be Assigned

Group Art Unit:

To Be Assigned

Box PCT
Commissioner for Patents
Washington, D.C. 20231

**RESPONSE TO NOTIFICATION OF MISSING REQUIREMENTS
UNDER 35 U.S.C. § 371**

Sir:

In response to the "Notice to File Missing Requirements" mailed by the United States Patent and Trademark Office on April 11, 2001. The period of time for response has been extended until October 11, 2001, by the accompanying Petition and fee. Applicants submit the following documents to complete the filing for the above-identified patent application:

1. Return postcard;
2. Copy of Notification of Missing Requirements Under 35 U.S.C. § 371 dated April 11, 2001, (1 pg.)
3. Executed Declaration and Power of Attorney for United States Patent Application (8 pp., signed in counter-part);
4. Request to Transfer (1 pg., in duplicate); and
5. Copy of Notification to Comply with Requirements for Patent Applications
Containing Nucleotide Sequence and/or Amina Acid Sequence Disclosures dated April 11, 2001 (1 pg.)

Please charge the following fees to **Deposit Account No. 09-0108**:

Fee for Petition for Extension of Time (4 Months) under 37 CFR 1.17(a) \$ 1,440.00

Basic surcharge fee for filing the declaration under 37 CFR 1.492(e) \$ 130.00

Total fees charged to Deposit Account No. 09-0108: \$ 1,570.00

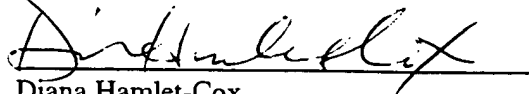
If the Patent Office determines that additional fees are due or that an excess fee has been paid, the Patent Office is authorized to debit or credit (respectively) **Deposit Account No. 09-0108**.

If there are any questions regarding the above, the Examiner is invited to call the undersigned at 650-855-0555.

This response is enclosed in **duplicate**.

Respectfully submitted,

INCYTE GENOMICS, INC.



Diana Hamlet-Cox

Reg. No. 33,302

Direct Dial Telephone: (650) 845-4639

Date: 11 Oct 2001

3160 Porter Drive
Palo Alto, California 94304
Phone: (650) 855-0555
Fax: (650) 845-4166

APR 17 2001



UNITED STATES DEPARTMENT OF COMMERCE
Patent and Trademark Office
Address: ASSISTANT COMMISSIONER FOR PATENTS
Box PCT
Washington, D.C. 20231

U.S. APPLICATION NO	FIRST NAMED APPLICANT	ATTY. DOCKET NO
09/763335	TANG Y	PF-0572,SDN USN
DAINA HAMLET-COX INCYTE GENOMICS 3160 PORTER DRIVE PALO ALTO, CA 94304		
INTERNATIONAL APPLICATION NO.		
PCT/US99/19072		
LA. FILING DATE		PRIORITY DATE
19 AUG 99		21 AUG 98
DATE MAILED: 11 APR 2001		

NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

1. The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as

- ☐ a Designated Office (37 CFR 1.494),
- ☒ an Elected Office (37 CFR 1.495):
- ☒ U.S. Basic National Fee.
- ☒ Copy of the international application in:
 - ☐ a non-English language.
 - ☒ English.
- ☐ Translation of the international application into English.
- ☐ Oath or Declaration of inventor(s) for DO/EO/US.
- ☐ Copy of Article 19 amendments.
- ☐ Translation of Article 19 amendments into English.
- ☐ The International Preliminary Examination Report in English and its Annexes, if any.
- ☐ Translation of Annexes to the International Preliminary Examination Report into English.
- ☐ Preliminary amendment(s) filed _____ and _____.
- ☐ Information Disclosure Statement(s) filed _____ and _____.
- ☐ Assignment document.
- ☐ Power of Attorney and/or Change of Address.
- ☐ Substitute specification filed _____.
- ☐ Verified Statement Claiming Small Entity Status.
- ☐ Priority Document.
- ☒ Copy of the International Search Report ☒ and copies of the references cited therein.
- ☐ Other:

2. The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- ☐ a. Translation of the application into English. Note a processing fee will be required if submitted later than the appropriate 20 or 30 months from the priority date.
 - ☐ The current translation is defective for the reasons indicated on the attached Notice of Defective Translation.
- ☐ b. Processing fee for providing the translation of the application and/or the Annexes later than the appropriate 20 or 30 months from the priority date (37 CFR 1.492(f)).
- ☒ c. Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the international application number and international filing date.
 - ☐ The current oath or declaration does not comply with 37 CFR 1.497(a) and (b) for the reasons indicated on the attached PCT/DO/EO/917.
- ☒ d. Surcharge for providing the oath or declaration later than the appropriate 20 or 30 months from the priority date (37 CFR 1.492(e)).

3. Additional claim fees of \$ _____ as a ☐ large entity ☐ small entity, including any required multiple dependent claim fee, are required. Applicant must submit the additional claim fees or cancel the additional claim(s) for which fees are due. See attached PTO-875.

ALL OF THE ITEMS SET FORTH IN 2(a)-2(d) AND 3 ABOVE MUST BE SUBMITTED WITHIN ONE MONTH FROM THE DATE OF THIS NOTICE OR BY ☐ 21 OR ☒ 31 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

4. Translation of the Annexes **MUST** be submitted no later than the time period set above or the annexes will be cancelled. Note processing fee will be required if submitted later than 30 months from the priority date.

5. ☐ The Article 19 amendments are cancelled since a translation was not provided by the appropriate 20 (37 CFR 494(d)) or 30 (37 CFR 1.495(d)) months from the priority date.

Applicant is reminded that any communication to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above. (37 CFR 1.5)

A copy of this notice MUST be returned with this response.

Enclosed:

- ☐ PCT/DO/EO/917
- ☐ Notice of Defective Translation
- ☐ PTO-875

FORM PCT/DO/EO/905 (December 1997)

John L. Anderson
Telephone: 703-308-9116

I hereby certify that this correspondence is being deposited with the
United States Postal Service as first class mail in an envelope
addressed to: Commissioner for Patents, Washington, D.C. 20231

on October 11, 2001

By: 

Printed: Nancy L. Glynn

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Tang et al.

Title: HUMAN CELL SIGNALING PROTEINS (CSIG)

Serial No.: 09/763,335

Filing Date:

To Be Assigned

Examiner: To Be Assigned

Group Art Unit:

To Be Assigned

Box PCT

Commissioner for Patents

Washington, D.C. 20231

PETITION FOR EXTENSION OF TIME

Sir:

Applicant respectfully petitions for a four (4) month extension of time within which to respond to the Notification of Missing Requirements Under 35 U.S.C. 371, dated April 11, 2001, such extension allowing the undersigned until October 11, 2001, to respond.

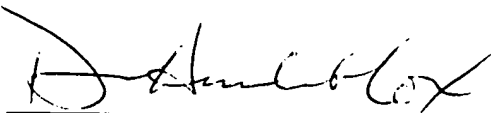
Please charge Deposit Account No. **09-0108** in the amount of **\$ 1,440.00** as set forth in the enclosed transmittal letter. If the USPTO determines that an additional fee is necessary, please charge any required fee to Deposit Account No. **09-0108**.

This form is enclosed in duplicate.

Respectfully submitted,

INCYTE GENOMICS, INC.

Date: 11 Oct 2001



Diana Hamlet-Cox

Reg. No. 33,302

Direct Dial Telephone: (650) 845-4639

3160 Porter Drive
Palo Alto, California 94304
Phone: (650) 855-0555
Fax: (650) 845-4166

I hereby certify that this correspondence is being deposited with the
United States Postal Service as first class mail in an envelope
addressed to: Commissioner for Patents, Attn: Box PCT,
Washington, D.C. 20231 on October 11, 2001

By: Printed Name: Nancy L. Glynn**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of: Tang et al.

Title: HUMAN CELL SIGNALING PROTEINS (CSIG)

Serial No.: 09/763,335

Filing Date: To be Assigned

Examiner: To Be Assigned

Group Art Unit: To Be Assigned

Box PCT
Commissioner for Patents
Washington, D.C. 20231

REQUEST TO TRANSFER

Sir:

This paper is responsive to the Notification of a Defective Response (copy attached) which was mailed on April 11, 2001. The period of time for response has been extended until October 11, 2001, by the accompanying Petition and fee.

With regard to the requirement of 37 CFR 1.821(e) which requires that a copy of the Sequence Listing in computer readable form (CRF) be submitted, Applicants state that the paper copy of the Sequence Listing for the instant application is identical with the computer readable form filed with PCT Application No. PCT/US99/19072, filed August 21, 1998, in the US/RO to which priority is claimed. In accordance with 37 C.F.R. §1.821(e), please use the computer readable form filed with PCT Application No. PCT/US99/19072 as the computer readable form for the instant application. It is understood that the Patent and Trademark Office will make the necessary change in application number and filing date for the computer readable form that will be used for the instant divisional application.

Applicants believe that no fee is due with this communication. However, if the USPTO determines that a fee is due, the Commissioner is hereby authorized to charge Deposit Account No. 09-0108. This form is enclosed in duplicate.

Respectfully submitted,
INCYTE GENOMICS, INC.

Date: 11 Oct 2001
Diana Hamlet-Cox

Reg. No. 33,302

Direct Dial Telephone: (650) 845-4639

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Palo Alto, California 94304
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Fax: (650) 845-4166



UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents, Box PCT
United States Patent and Trademark Office
Washington, D.C. 20231
www.uspto.gov

U.S. APPLICATION NO	FIRST NAME/ APPLICANT	ATTY. DOCKET NO
09/763335	TANG	Y PF-0572 SDN
INTERNATIONAL APPLICATION NO		

DAINA HAMLET-COX
INCYTE GENOMICS
3160 PORTER DRIVE
PALO ALTO, CA 94304

PCT/US99/19072

I.A. FILING DATE	PRIORITY DATE
19 AUG 99	21 AUG 98

DATE MAILED: 11 APR 2001

**NOTIFICATION TO COMPLY WITH REQUIREMENTS FOR PATENT APPLICATIONS
CONTAINING NUCLEOTIDE SEQUENCE AND/OR AMINO ACID SEQUENCE
DISCLOSURES**

Applicant has submitted papers under 35 U.S.C. 371 to enter the national stage in the United States of America. The items indicated below, however, are missing. The period within which to correct the deficiency noted below and avoid abandonment is set forth in the accompanying Notification.

The nucleotide and/or amino acid sequence disclosure contained in this application does not comply with the requirements for such a disclosure as set forth in 37 CFR 1.821-1.825 for the following reason(s):

- ☐ The application fails to comply with the requirements of 37 CFR 1.821-1.825.
- ☐ This application does not contain, a "Sequence Listing" as a separate part of the disclosure on paper copy or compact disc, as required by 37 CFR 1.821(c).
- ☒ A copy of the "Sequence Listing" in computer readable format has not been submitted as required by 37 CFR 1.821(e).
- ☐ A copy of the "Sequence Listing" in computer readable form has been submitted. The content of the computer readable form, however, does not comply with the requirements of 37 CFR 1.822 and/or 1.832, as indicated on the attached marked-up copy of the "Raw Sequence Listing."
- ☐ The computer readable form that has been filed with this application has been found to be damaged and/or unreadable as indicated on the attached CRF Diskette Problem Report. A substitute computer readable form must be submitted as required by 37 CFR 1.825(d).
- ☐ The paper copy or compact disc of the "Sequence Listing" is not the same as the computer readable form of the "Sequence Listing" as required by 37 CFR 1.821(e).
- ☐ Other: _____

APPLICANT MUST PROVIDE:

- ☒ An initial or substitute computer readable form (CRF) of the "Sequence Listing."
- ☐ An initial or substitute paper copy or compact disc of the "Sequence Listing," as well as an amendment directing its entry into the specification.
- ☒ A statement that the contents of the paper or compact disc and the computer readable form are the same and, where applicable, include no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b) or 1.825(d).

**FOR QUESTIONS REGARDING COMPLIANCE WITH THESE REQUIREMENTS, PLEASE
CALL:**

(703) 308-4216, for Rules interpretation,
(703) 308-4212, for CRF submission help,
(703) 287-0200, for PatentIn software help.

John Anderson

Telephone: 703-308-9116

**DECLARATION AND POWER OF ATTORNEY FOR
UNITED STATES PATENT APPLICATION**

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name, and

I believe that I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if more than one name is listed below) of the subject matter which is claimed and for which a United States patent is sought on the invention entitled

HUMAN CELL SIGNALING PROTEINS (CSIG)

the specification of which:

 / is attached hereto.

 /X was filed on February 14, 2001 as application Serial No. 09/763,335 and if this box contains an X / , was amended on _____.

 /X was filed as Patent Cooperation Treaty international application No. PCT/US99/19072 on August 19, 1999, if this box contains an X / , was amended on under Patent Cooperation Treaty Article 19 on _____ 2001, and if this box contains an X / , was amended on _____.

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge my duty to disclose information which is material to the examination of this application in accordance with Title 37, Code of Federal Regulations, §1.56(a).

I hereby claim the benefit under Title 35, United States Code, §119 or §365(a)-(b) of any foreign application(s) for patent or inventor's certificate indicated below and of any Patent Cooperation Treaty international applications(s) designating at least one country other than the United States indicated below and have also identified below any foreign application(s) for patent or inventor's certificate and Patent Cooperation Treaty international application(s) designating at least one country other than the United States for the same subject matter and having a filing date before that of the application for said subject matter the priority of which is claimed:

Country	Number	Filing Date	Priority Claimed
_____	_____	_____	// Yes // No
_____	_____	_____	// Yes // No

I hereby claim the benefit under Title 35, United States Code, §119(e) of any United States provisional application(s) listed below.

Application Serial No.	Filed	Status (Pending, Abandoned, Patented)
60/150,689	August 21, 1998	Expired
60/183,054	August 21, 1998	Expired

I hereby claim the benefit under Title 35, United States Code, §120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in said prior application(s) in the manner required by the first paragraph of Title 35, United States Code §112, I acknowledge my duty to disclose material information as defined in Title 37 Code of Federal Regulations, §1.56(a) which occurred between the filing date(s) of the prior application(s) and the national or Patent Cooperation Treaty international filing date of this application:

Application Serial No.	Filed	Status (Pending, Abandoned, Patented)
_____	_____	_____

I hereby appoint the following:

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respectively and individually, as my patent attorneys and/or agents, with full power of substitution and revocation, to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith. Please address all communications to:

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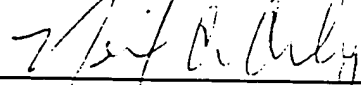
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I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

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